

THE URBAN LAW FIRM
MICHAEL A. URBAN, Nevada State Bar No. 3875
NATHAN R. RING, Nevada State Bar No. 12078
SETH T. FLOYD, Nevada State Bar No. 11959
4270 South Decatur Blvd., Suite A-9
Las Vegas, Nevada 89103
Telephone: (702) 968-8087
Facsimile: (702) 968-8088
Electronic Mail: murban@theurbanlawfirm.com
nring@theurbanlawfirm.com
sfloyd@theurbanlawfirm.com

Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS HEALTH AND WELFARE TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS JOINT PENSION TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS VACATION TRUST; THE BOARD OF TRUSTEES OF SOUTHERN NEVADA LABORERS LOCAL 872 TRAINING TRUST,

Plaintiffs,

vs.

SAFETY SEALED WATER SYSTEMS LLC,
a Domestic Limited-Liability Company;
CRAIG EHRNREITER, individually; LORA
LEE EHRNREITER, individually; and
SCOTT HEFTY, individually

Defendants.

CASE NO.: 2:15-cv-00180-APG-VCF

MOTION TO EXTEND TIME FOR DISPOSITIVE MOTIONS

(Second Request)

Plaintiffs, THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS HEALTH AND WELFARE TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS JOINT PENSION TRUST; THE BOARD OF TRUSTEES OF THE CONSTRUCTION INDUSTRY AND LABORERS VACATION TRUST; THE BOARD OF TRUSTEES OF SOUTHERN NEVADA LABORERS LOCAL 872 TRAINING TRUST

1 (hereinafter “Trustees”), by and through their counsel of record, The Urban Law Firm, pursuant to
2 Local Rule 6.1, hereby move for an order to extend the dispositive motion deadline for forty-five (45)
3 days. Currently, dispositive motions are due by February 4, 2016. (Dkt. #45). This would extend that
4 deadline to March 21, 2016.

5 In late January, the Trustees approved the final terms of a settlement agreement involving
6 SSWs and Mr. Ehrnreiter, and undersigned counsel forwarded a copy to Mr. Ehrnreiter for review. See
7 Declaration of Seth T. Floyd (“Floyd Decl.”) at ¶¶ 5-6, attached as **Exhibit 1**. A forty-five (45) day
8 extension from February 4, 2016, to March 21, 2016, is therefore requested due to the pending
9 settlement agreement between the parties. There will be no prejudice to Mr. Ehrnreiter, or any other
10 party, from this extension and it will conserve judicial resources by avoiding the need for unnecessary
11 dispositive motions.

12 Plaintiffs thus respectfully request that this Court extend the deadline to file dispositive motions.

13 Dated: February 4, 2016

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Michael A. Urban, Nevada State Bar No. 3875
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Las Vegas, Nevada 89103
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Facsimile: (702) 968-8088
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~~U.S. District Court Clerk
Magistrate Judge~~

Dated: February 12, 2016

CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2016, I electronically filed the preceding **MOTION TO EXTEND TIME FOR DISPOSITIVE MOTIONS (Second Request)** with the Clerk of the Court using the CM/ECF system and I hereby certify that I have mailed by United States Postal Service First Class Mail the document to the following non-CM/ECF participant(s):

Safety Sealed Water Systems
4255 Dean Martin Drive
Las Vegas, Nevada 89103
Defendants

Desjardins

Scott Hefty
433 79th Way Northeast
Fridley, MN 55432
Defendant

Defendant

Lora Lee Ehrnreiter
4255 S. Dean Martin Drive, Suite D
Las Vegas, NV 89103

Defendant

Lora Lee Ehrreiter
4737 137th Circle
St. Paul, MN 55126
Defendant

Lora Lee Einmiller
1012 Woodbridge St.
St. Paul, MN 551117
Defendant

Defendant

Lora Lee Ehrreiter
60 Empire Drive, #100
St. Paul, MN 55103
Defendant

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I also hereby certify that I have served the following non-CM/ECF participant by United States Postal Service First Class Mail and direct email:

Craig Ehrnreiter
8227 Coyado Drive
Las Vegas, NV 89123
craig@tomarco.com
Defendant

Ryan Chleeker
An employee of THE URBAN LAW FIRM

Exhibit 1

1 **THE URBAN LAW FIRM**

2 MICHAEL A. URBAN, Nevada State Bar No. 3875
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4 SETH T. FLOYD, Nevada State Bar No. 11959
5 4270 South Decatur Blvd., Suite A-9
6 Las Vegas, Nevada 89103
7 Telephone: (702) 968-8087
8 Facsimile: (702) 968-8088
9 Electronic Mail: murban@theurbanlawfirm.com
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11 sfloyd@theurbanlawfirm.com

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 THE BOARD OF TRUSTEES OF THE
15 CONSTRUCTION INDUSTRY AND
16 LABORERS HEALTH AND WELFARE
17 TRUST; THE BOARD OF TRUSTEES OF
18 THE CONSTRUCTION INDUSTRY AND
19 LABORERS JOINT PENSION TRUST;
20 THE BOARD OF TRUSTEES OF THE
21 CONSTRUCTION INDUSTRY AND
22 LABORERS VACATION TRUST; THE
23 BOARD OF TRUSTEES OF SOUTHERN
24 NEVADA LABORERS LOCAL 872
25 TRAINING TRUST,

26 CASE NO: 2:15-cv-00180-APG-VCF

27 **DECLARATION OF SETH T. FLOYD IN
28 SUPPORT OF MOTION TO EXTEND
29 TIME FOR DISPOSITIVE MOTIONS**

30 Plaintiffs,

31 vs.
32 SAFETY SEALED WATER SYSTEMS
33 LLC, a Domestic Limited-Liability
34 Company; CRAIG EHRNREITER,
35 individually; LORA LEE EHRNREITER,
36 individually; and SCOTT HEFTY,
37 individually

38 Defendants.

39 I, Seth T. Floyd, declare and state as follows:

40 1. I am an Associate with The Urban Law Firm and I am duly licensed to practice law
41 in the State of Nevada and before this U.S. District Court. I am counsel of record for the Plaintiffs
42 and I am the attorney responsible for the prosecution of this action.

1 2. I make this Declaration in support of the Plaintiffs' Motion To Extend Time For
2 Dispositive Motions.

3 3. I make all statements in this Declaration based upon my personal knowledge unless
4 stated otherwise herein.

5 4. As this Court can see from the docket in this case, this matter has a long and tortured
6 history. However, over the last two months, the Trust Funds and Mr. Ehrnreiter have been
7 negotiating the terms of a settlement agreement to resolve these claims.

8 5. On or around January 26, 2016, the trustees of the Trust Funds approved the final
9 terms of a settlement agreement. I had previously discussed these terms directly with Mr.
10 Ehrnreiter and he agreed to them in principle.

11 6. On or around February 1, 2016, I sent a written settlement agreement to Mr.
12 Ehrnreiter for his final review. We have since been in contact about the agreement and Mr.
13 Ehrnreiter is in the process of reviewing the terms.

14 7. Because of these ongoing settlement negotiations, it would not be prudent for any of
15 the parties to submit dispositive motions unless and until settlement discussions are unsuccessful.

16 8. To accomplish the extension, I e-mailed Mr. Ehrnreiter a proposed stipulation on
17 February 3, 2016, and I called and left a voicemail at approximately 12:30 p.m. on February 4,
18 2016. I am filing this motion because I have been unable to confer directly with Mr. Ehrnreiter on
19 this matter, though I do not expect any objection.

20 9. There will be no harm or prejudice to Mr. Ehrnreiter from this extension because it
21 will give both parties more time to resolve this matter. In fact, this will benefit Mr. Ehrnreiter as
22 he may avoid having to respond to a motion for summary judgment.

23 10. Accordingly, I respectfully request that this Court grant a second extension of the
24 time to file dispositive motions, currently due on February 4, 2016.

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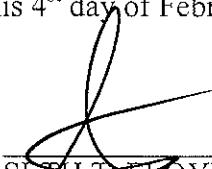
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1 I declare under penalty of perjury under the laws of the United States and the State of
2 Nevada that the foregoing is true and correct, and if called as a witness, I could and would
3 competently testify thereto.

4 Executed at Las Vegas, Nevada on this 4th day of February, 2016.

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SETH T. FLOYD, Nevada State Bar No. 11959